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C O N F I D E N T I A L SECTION 01 OF 02 HARARE 001679

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AF/S FOR B. NEULING
SENIOR AFRICA DIRECTOR C. COURVILLE

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TAGS: [ASEC](#) [PGOV](#) [PHUM](#) [PREL](#) [ZI](#)
SUBJECT: GOZ SEIZES TWO CRITICS, PASSPORTS, EYING MORE

REF: HARARE 001238

Classified By: Ambassador Christopher Dell for reasons 1.5 b/d

Summary

11. (C) Exercising the power given to it by Constitutional Amendment 17, the GOZ last week seized the passports of two regime critics, newspaper publisher Trevor Ncube and deposed MDC spokesperson Paul Themba Nyathi. The seizures comes amidst the revelation that the GOZ has drafted a list of 64 opposition politicians, civil society leaders, and journalists whose traveling documents should be impounded to prevent them from leaving the country. End Summary.

A Rude Welcome Home

12. (C) Immigration officials at Bulawayo Airport on December 8 seized the passport of Trevor Ncube, the owner and publisher of independent newspapers the Zimbabwe Independent and the Standard, and the Mail and Guardian in South Africa. This marked the first instance of the GOZ using its newly created constitutional authority to revoke passports of individuals suspected of intending to undermine the national interest (ref Harare 1238). Speaking to Post on December 9, Ncube said that his lawyers were drafting an urgent application for the release of his passport. Arnold Tsunga, the director of Zimbabwe Lawyers for Human Rights

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(ZLHR), that same day told us that his group had filed a petition on Ncube's behalf noting that the government had yet to enact legislation implementing the constitutional amendment to seize passports.

13. (C) Also on December 9, Paul Themba Nyathi) who was recently ousted from his position as MDC spokesman because of his opposition to the party president) had his passport seized upon arriving at Bulawayo Airport after traveling to South Africa.

14. (C) In a possibly related incident earlier in the month, former chairman of Crisis Coalition Brian Kagoro was denied additional pages in his passport. However, Kagoro, who now lives in Nairobi, was allowed to leave Zimbabwe with his passport.

Indications of More To Come?

15. (C) The two passport seizures come amidst widespread speculation that potentially dozens more regime critics will be similarly targeted. The ZANU-PF party conference that ended on Saturday adopted a resolution that called on authorities to seize the passports of traitors (who go around demonizing the country).⁸ Meanwhile, Ncube told Post that immigration officials told him that his name was amongst a list of 64 individuals whose passports were to be revoked. Meanwhile, local media sources have published a list of 17 individuals that are reportedly on the GOZ's travel ban. The published list includes Nyathi and Kagoro, but does not mention Ncube.

16. (C) Many of the individuals on the list of 17, however, are not impacted by the travel ban because they either have passports issued by other countries or have not traveled to Zimbabwe in years, according to ZLHR lawyer Otto Saki. Going through the list, Saki said that only Kagoro and unionist Raymond Majongwe) who is due to return from Nigeria on December 14) were realistic targets. For example, he noted that human rights lawyer Gabriel Shumba had a UN refugee passport and that businessman Strive Masiyiwa has not held a valid Zimbabwean passport for several years. In a conversation with Post on December 13, Human rights lawyer Beatrice Mtetwa, who is included on the media's list, reiterated Saki's points and said the ban would have no impact on her since she used a Swazi passport.

17. (C) Thus far, the seizures have not been extended to other likely targets. Outspoken women,s rights activist Jenni Williams told Post that she used the Plumtree border crossing from Botswana on December 10 with no incident. Similarly, a ZLHR delegation headed by Jacob Mafume) Zimbabwe,s recently named Human Rights Lawyer of the Year) returned from a meeting of the Africa Commission for Human Rights in the Gambia last week with passport intact.

Comment

18. (C) As expected, the GOZ is using the travel ban provision of the recent constitutional amendment to rein in perceived critics. We expect that the GOZ will not try to prevent all critics from traveling so much as to let selective seizures induce further self-censorship among Zimbabwe's cautious and tired democratic forces.
DELL